United Nations A/HRC/29/16

General Assembly

Distr.: General
13 April 2015

Original: English

Human Rights Council
Twenty-ninth session
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Guyana

* The annex to the present report is circulated as received.

GE.15-07627 (E)
1507627

Please recycle

Contents

		Paragraphs	*Page*
	Introduction	1–4	3
I.	Summary of the proceedings of the review process	5–129	3
	A. Presentation by the State under review	5–41	3
	B. Interactive dialogue and responses by the State under review	42–129	7
II.	Conclusions and/or recommendations	130–133	15
Annex			
	Composition of the delegation		25

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Guyana was held at the 15th meeting on 28 January 2015. The delegation of Guyana was headed by Carolyn Rodrigues-Birkett. At its 18th meeting, held on 30 January 2015, the Working Group adopted the report on Guyana.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Guyana: Ethiopia, Portugal and the Bolivarian Republic of Venezuela.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Guyana:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/21/GUY/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/GUY/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/GUY/3).

4. A list of questions prepared in advance by Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Guyana through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Carolyn Rodrigues-Birkett, Minister of Foreign Affairs, presented the national report for the second UPR of Guyana as well as the status of the implementation of the recommendations made at the fifteenth session of the Human Rights Council in 2010.

6. The delegation recalled that, as highlighted in the national report, Guyana had submitted State party reports to various treaty bodies. Guyana had also submitted to the International Labour Organization (ILO) 80 per cent of its reports that had been outstanding.

7. Additionally, during the reporting period, Guyana had ratified or acceded to several conventions, and was actively considering ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

8. The delegation expressed its concern that the national report had not been posted in a timely manner for the benefit of the various delegations; many of the questions submitted in advance related to issues that had been addressed in the report.

9. Guyana had voluntarily committed to hold consultations on 28 of the 55 recommendations. Those included recommendations on the abolition of the death penalty, on the abolition of corporal punishment, on the decriminalization of consensual same-sex

adult sexual relations and on discrimination against lesbian, gay, bisexual and transgender (LGBT) persons, and on the age of criminality.

10. As part of the consultative process, following the elections in 2011, a decision had been taken to bring those recommendations before the National Assembly. The Government had therefore tabled a motion and asked that those matters be sent to a Parliamentary Special Select Committee. The motion had been approved by the National Assembly; a Parliamentary Special Select Committee had been appointed and had commenced meeting in 2012.

11. The Select Committee had not concluded its work at the time of reporting but had commenced by focusing on the abolition of corporal punishment. Public hearings had been held and submissions had been received from government agencies, civil society and experts. It had become evident during the hearings that the abolition of corporal punishment in schools remained an issue on which sections of society were staunchly and equally divided. Nonetheless, the delegation highlighted the enactment of the Training School (Amendment) Act 2010 and the Juvenile Offenders (Amendment) Act 2010, which abolished corporal punishment in juvenile correctional institutions. Also, the new Child Care and Development Services Act (2011) prohibited corporal punishment in institutional residences.

12. Although the Parliamentary Special Select Committee had not completed its mandate with regard to the recommendations on the abolition of the death penalty, the Criminal Law Offences (Amendment) Act No. 21 of 2010 had removed the mandatory death penalty for persons convicted of murder and made provisions for life imprisonment and imprisonment with the possibility of parole. The death penalty was retained only in limited cases, such as the murder of a police officer on duty or a judicial officer, or treason. As a result, during the past five years more than 15 prisoners on death row had had their sentences commuted to life imprisonment; some of those prisoners would be coming up for parole. At the time of reporting there were 13 prisoners on death row. During the period under review no prisoner on death row had been executed.

13. The Parliamentary Special Select Committee also had a mandate to receive and hear submissions on the attitude of Guyanese regarding changes in legislative provisions and the Criminal Code regarding consensual adult same-sex relationships and discrimination, perceived or real, against LGBT persons. Due to the prorogation of the tenth Parliament, the Committee's work had ceased. The Government hoped to resubmit those matters to the National Assembly following general elections in May.

14. During the reporting period, there had been unfettered freedom of expression by non-governmental organizations (NGOs), religious organizations and the media on LGBT issues. In response to an NGO submission on LGBT rights in Guyana, the Government wished to reiterate that the State did not discriminate against persons based on their sexual orientation and that every Guyanese was entitled to the fundamental rights and freedoms as provided for in the Constitution, laws and policies of Guyana.

15. Consultations had been held across the country by the Ministry of Education on the abolition of corporal punishment.

16. The delegation highlighted the Low Carbon Development Strategy and the Guyana-Norway partnership. Under the partnership, Guyana was targeted to earn up to US$ 250 million for its forest climate services. The funds earned were being used for the implementation of projects and initiatives identified in the Low Carbon Development Strategy; a significant portion had gone to interventions that focused on the indigenous population.

17. Much had been accomplished with regard to the recommendations on poverty reduction and equal access to education, water, health, housing and food security for the poor and vulnerable, including indigenous peoples. The delegation highlighted, among other things: the poverty reduction programme and pro-poor pro-growth development approach; continuous investments in the social sector, which now received 34.5 per cent of the annual budget; and the enactment of a national minimum wage in 2013.

18. Progress within the education sector had been significant. The Millennium Development Goals Guyana Progress Report 2011 had indicated that Guyana had made excellent progress towards achieving universal primary education and had met its target of eliminating gender disparity in primary and secondary education.

19. The education sector had played a critical role in equalizing access to opportunities for children regardless of where they lived or their ethnicity, religion or class. That was most evident in the interior and Amerindian communities, where all children had access to nursery and primary education and over 90 per cent had access to secondary education. The delegation provided detailed information on programmes and initiatives implemented in the area of education.

20. Health care services offered by the Government remained free of charge. In 2014, 96 per cent of all births were attended by skilled health personnel, in comparison to 85.6 per cent in previous years. Guyana continued to offer free treatment for the prevention of mother to child transmission and free antiretroviral treatment at its facilities; however, those programmes were under pressure due to the reduction of international funding to assist small developing countries. Immunization coverage in Guyana remained high in all rural and hinterland areas, despite challenges regarding the high cost of gaining access to remote areas.

21. The national housing programme continued to provide subsidized house lots for poor families and low- and middle-income families. Through a number of legislative measures and Government/commercial bank partnerships, low-income households could gain access to loans to build their houses. Additionally, by the end of 2013, 18,000 households in squatter settlements that had emerged over three decades had been regularized, with Certificates of Title to Land being provided.

22. The supply of potable water currently reached in excess of 95 per cent of the population in the coastal areas and 73 per cent in the hinterland areas.

23. Guyana had been honoured by the Food and Agriculture Organization of the United Nations for attaining the targets set as part of Millennium Development Goal 1 and the goal set by the 1996 World Food Summit of halving the absolute number of hungry people by 2015 and improving nutrition. The prevalence of undernourishment had been reduced from 19.1 per cent (1990–1992) to 5.1 per cent (2010 and 2012).

24. In recognition of the historic injustices perpetrated against the Amerindian peoples, the revised Guyana Constitution and the Amerindian Act 2006 provided for and guaranteed Amerindian land rights, governance and culture for the Amerindian population. Amerindians were currently the second-largest land owners in Guyana, with the State being the first. They owned communal land titles totalling 14 per cent of the country's land mass. A total of 103 Amerindian villages had been awarded absolute grants and 83 had been demarcated thus far. The delegation indicated that the Government had continued to channel resources toward the development of Amerindian communities, and reported on numerous initiatives. Guyana would continue to give consideration to ratifying the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).

25. The delegation reported on efforts to address discrimination based on culture and traditions and to promote and protect the rights of all citizens. It highlighted the enactment

of the Judicial Review Act 2010, the appointment of an Ombudsman in January 2014, the recent parliamentary approval of the Ethnic Relations Commission, the functioning of numerous institutions and the implementation of a number of initiatives.

26. Guyana had made major progress towards promoting gender equality and the empowerment of women. In its Global Gender Gap Report 2013, the World Economic Forum had ranked Guyana 33rd out of 136 in the area of overall political empowerment. The country ranked 41st in the Report for wage equality for similar work.

27. Better-coordinated efforts were being made with regard to persons with disabilities since the enactment of the Persons with Disabilities Act. Those efforts would continue to improve as Guyana strove to implement its treaty obligations under the Convention on the Rights of Persons with Disabilities (CRPD).

28. Guyana was part of the Caribbean Community (CARICOM) Reparations Commission, which called for reparations relating to Africans who had been enslaved and brought to work in the British, French, Dutch and Spanish colonies. Guyana had established a broad-based committee which was preparing the country's submission to CARICOM on its reparations claims for the former colonial powers.

29. The delegation indicated that although there had been some reduction, interpersonal violence, including sexual and domestic violence, continued to cause grave concern. The delegation highlighted some achievements and challenges in that area. In July 2014, the National Task Force on Sexual Violence had held a special session to review the draft protocols for the police, prosecutors, magistrates, social workers and medical practitioners under the Sexual Offences Act 2010 and to examine the new draft action plan. With the assistance of the United Nations Population Fund (UNFPA), the plan of action had been completed and was submitted in January 2015 for Cabinet review. The draft protocols and new regulations to strengthen the 1996 Domestic Violence Act had also been completed.

30. Over the past four years, the media, civil society and community and faith-based organizations had played a more proactive role with regard to combating violence against women and children.

31. The total number of reports of domestic violence had decreased by more than 50 per cent, and the number of persons charged increased from 25 per cent to 52 percent. While the number of persons charged and sentenced by Magistrates for domestic violence offences had increased significantly, the number of successful prosecutions and convictions of sexual offences had been disappointing.

32. The delegation recalled information provided in its national report on legislative reforms to enhance the protection of children's rights. The Child Care and Protection Agency had continued to investigate child abuse cases reported throughout the country. The delegation expressed its regret that the draft Juvenile Justice Bill was still not complete and that, as a result, Guyana had been unable to implement the recommendation with regard to the age of criminality.

33. The delegation also highlighted efforts to combat trafficking in persons, including the work of the broad-based Ministerial Task Force on Trafficking in Persons.

34. Guyana had taken major steps and made significant financial investments in the justice sector. A number of initiatives had been introduced to improve oversight, monitoring and accountability and to enhance coordination within the sector. Such initiatives included establishing civil and criminal justice committees; increasing the number of judges; and removing the annual budget of the judiciary from under the Ministry of Legal Affairs and establishing it as a direct charge on the Consolidated Fund to enhance its independence.

35. The delegation reiterated that the Constitution strictly prohibited torture and mistreatment of detainees and inmates, and that the Government had publicly condemned abuse and torture and had repeatedly demanded that any such allegations be expeditiously investigated and action taken. In 2014, several police ranks had been brought before the courts, including for abuse and torture in lock-ups. Additionally, in an effort to strengthen its investigative capacity, the Police Complaints Authority would be establishing its own investigative unit in order to conduct investigations independent of the Guyana Police Force.

36. As a result of major disturbances in July 2012, which resulted in three protestors being shot, a commission of inquiry had been set up. Although the commission had been unable to find that it was the police who had shot the protestors, it recommended that compensation be provided for those who had suffered losses in the violence and that the police protocols with regard to public order and safety be reviewed and amended. The Government and the Guyana Police Force had implemented those recommendations.

37. The delegation reported on efforts to improve conditions in police lock-ups and prisons, highlighting the 2014 strategic plan on the renewal and reconstruction of the Guyana Prison Service and the appointment of a visiting committee for each prison (provided for under the Prison Act) to monitor prison conditions.

38. The delegation expressed conviction that the constitutional rights commissions in Guyana formed a critical component of the protection of human rights. In accordance with legislation, the commissions were to be funded by a direct charge upon the Consolidated Fund, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). However, until such time as the umbrella Human Rights Commission was appointed, in compliance with the Constitution, Guyana, regrettably, would not be fully compliant with the Paris Principles.

39. With regard to the special procedures, the delegation reiterated the readiness of Guyana to continue to respond to invitations and to offer full collaboration with mandate holders.

40. Positive achievements had been tempered and sometimes overshadowed by the political situation that had emerged since the November 2011 elections. The ruling party had one seat fewer than the two opposition parties combined, and the tenth Parliament had witnessed the reduction of the annual budgets by the opposition majority, which had a major impact on the implementation of the national development agenda. Following a no-confidence motion in 2014, the President announced elections, which would be held on 11 May 2015.

41. Guyana had made significant efforts to meet most of the commitments it had made in 2010, despite the many challenges associated with small developing States. Such challenges included climate change and the imposition of the "graduation" policy, using the narrow measure of gross domestic product per capita, which would see countries like Guyana losing concessionary financing. Notwithstanding those challenges, Guyana would continue to make efforts to support the role of the United Nations human rights system, including the UPR, within available means and prevailing conditions, even as it strove to continuously improve the lives of its citizens.

B. Interactive dialogue and responses by the State under review

42. During the interactive dialogue, 54 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

43. Ireland welcomed the positive efforts undertaken by Guyana since its first UPR. It encouraged Guyana to extend a standing invitation to special procedures and establish a national human rights institution in accordance with the Paris Principles. It urged a moratorium on the death penalty with a view to its abolition. Ireland raised concerns about the criminalization of adult same-sex relations and the rate of under-five child mortality.

44. Italy commended the progress achieved in the protection of human rights, in particular the measures taken in promoting women's rights.

45. Jamaica noted with appreciation the follow-up to the accepted recommendations from the first UPR cycle through legislation and various initiatives in a wide range of areas related to human rights. It lauded the tremendous strides made in ensuring access to education and food security for all Guyanese. It commended the continued efforts to safeguard access to land for indigenous people.

46. Kuwait praised the efforts made in improving the human rights situation in the fields of poverty, education, health care, reform of the justice system and gender equality. It encouraged further efforts for child protection and to combat human trafficking.

47. Maldives commended the ratification of two Optional Protocols to the Convention on the Rights of the Child (CRC) and the adoption of the Child Care and Development Services Act of 2011. It welcomed the adoption of the Persons with Disabilities Act of 2010, the ratification of CRPD and the implementation of the National Commission on Disability's strategic plan for 2008–2011.

48. Mauritius congratulated Guyana for achieving gender parity in primary and secondary education and encouraged it to pursue its strategic plan on education for 2014–2018 and the Hinterland Education Improvement Project. It encouraged the strengthening of the anti-discrimination legislation to further promote the inclusion of women in the socioeconomic development of the country in line with Committee on the Elimination of Discrimination against Women (CEDAW) recommendations.

49. Mexico highlighted advances such as the appointment of the head of the Ombudsman's office and the adherence to several international instruments. It urged Guyana to adopt necessary measures to ensure transparency during the 2015 elections and suggested that Guyana ask the United Nations for assistance in complying with human rights commitments.

50. Montenegro welcomed the ratification of several human rights treaty bodies since the last UPR. Montenegro asked Guyana to elaborate on the steps taken to address the continuing prevalence of trafficking in women and girls and to protect the victims of trafficking. It also inquired about the implementation of comprehensive programmes to address health issues affecting infants, girls and women.

51. Morocco welcomed the ratification of several international instruments since the last UPR cycle, namely, those related to trafficking, labour and sexual exploitation. It commended Guyana on the nomination of an Ombudsperson in 2014 and the establishment of institutions to protect children's rights, including the rights of indigenous and Amerindian children. It noted the adoption of the national strategy on health and the establishment of the national commission for disabled persons.

52. Namibia took note of the legislative reform regarding the death penalty and its substitution with imprisonment. It commended the appointment of an Ombudsperson in January 2014 and the support provided to the Women and Gender Equality Commission.

53. The Netherlands noted with appreciation the enactment of legislation to strengthen the protection of children from sexual abuse and exploitation. It raised concerns regarding

the pending debates on the follow-up to the UPR recommendations, given the prorogation of the Parliament.

54. Nicaragua highlighted the commitment of the Government of Guyana to combat discrimination against minority groups, indigenous peoples, women and children, and welcomed the increased participation of women in public administration and the reforms to the laws on domestic violence.

55. Norway raised concerns regarding the high level of impunity for violence against women and children and the use of excessive force by the Guyana Police and Defence Forces. It took note of the country's commitment to promote indigenous peoples' rights and the establishment of the Indigenous Peoples Commission to address discrimination faced by Amerindian children.

56. Panama urged Guyana to offer a standing invitation to the special procedures mandate holders, particularly to the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, a recommendation that Guyana had accepted in the context of its previous examination.

57. Paraguay welcomed the approval of the law on sexual offences, while expressing concern about the levels of physical and sexual violence against women and girls. It expressed concern that Guyana maintained the death penalty for several criminal offences, and encouraged it to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

58. The Philippines lauded the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as CRPD and two Optional Protocols to CRC. It noted the remarkable progress in ensuring access to universal primary education, gender equality, women's empowerment and the implementation of the Domestic Violence Act and Sexual Offences Act.

59. Portugal welcomed the ratification of CRPD. It raised concerns about the inclusion of the death penalty in the legislation of Guyana.

60. Romania noted the efforts made to improve the human rights situation in the country and acknowledged the concrete measure and results. It encouraged Guyana to pursue its work on improving the protection and promotion of human rights.

61. The Russian Federation noted with satisfaction steps taken to implement a number of international agreements, including those to combat human trafficking for sexual and labour exploitation. It expressed its appreciation for efforts to carry out legislative and judicial reforms to improve the system of administration of justice.

62. Singapore welcomed the efforts of Guyana to invest in the health sector and noted that it was implementing the Maternal, Perinatal Strategy and Integrated Child Health Strategy 2011–2015. It also commended the achievements of the National Housing Programme.

63. Slovenia welcomed the implementation of two of its first-cycle recommendations. It continued to call for a complete abolition of the death penalty, and expressed regret that consensual homosexual relations continued to be criminalized. It reiterated its past recommendations, namely, Nos. 70.29, 70.39 and 70.49.

64. South Africa welcomed progress in the development of a national food and nutrition security strategy, the development of the draft sexual and reproductive health policy and the implementation of the country's poverty reduction programmes. It encouraged Guyana to continue all efforts towards promotion, protection and fulfilment of all human rights.

65. Spain highlighted positively the adoption of a national policy on domestic violence. It expressed concerns about Guyana's votes against General Assembly resolutions on a moratorium on the death penalty, about the number of allegations presented against the police of Guyana regarding excessive use of force and about the lack of effective and independent investigation into such allegations.

66. Sweden noted that rape was quite common and that the inclination to report rapes was rather low. It further noted that violence against women was a significant problem, and that indigenous peoples had a lower standard of living than the majority society.

67. Switzerland encouraged Guyana to pursue its efforts to ratify international instruments. It welcomed the commitment made by Guyana to organize national and public consultations on the recommendations from its first UPR.

68. Thailand noted that discrimination based on sexual orientation, as well as violence against women, remained a challenge. It encouraged Guyana to further implement education and awareness-raising programmes to help promote the inclusion and participation of children with disabilities in society.

69. Timor-Leste noted with appreciation the enactment of the Sexual Offences Act, the adoption of the Combating of Trafficking in Persons Act and the establishment of the Indigenous Peoples Commission.

70. Trinidad and Tobago highlighted, inter alia, the development of an action plan to combat human trafficking, an increase in awareness campaigns regarding sexual abuse, and the drafting of a sexual and reproductive health policy.

71. The United Kingdom of Great Britain and Northern Ireland encouraged Guyana to ratify the Optional Protocol to CEDAW and to establish a formal moratorium on executions with a view to eventually abolishing the death penalty.

72. The United States of America welcomed Guyana's voluntary commitments to hold national consultations on issues from its first UPR session. It remained deeply concerned by continued and widespread reports of excessive violence by police officers.

73. Uruguay welcomed the country's adherence to international human rights instruments, and encouraged Guyana to continue to work on the promotion of education for children, addressing the issues of non-attendance at school and transport and nutrition costs, in order to reduce illiteracy.

74. The Bolivarian Republic of Venezuela noted with appreciation the strategic plan for the reduction of poverty (2011–2015), which targeted the most vulnerable segments of the population. It praised the establishment of the national minimum wage in 2013 and the allocation of 34.5 per cent of the 2014 Annual Budget to education, health, water, housing and social security.

75. Algeria noted that, despite the challenges and difficulties in terms of resources, Guyana has adopted a number of initiatives to implement the recommendations from the first cycle of the UPR. It encouraged Guyana to continue its efforts to combat trafficking in persons.

76. Argentina welcomed the members of the delegation of Guyana and congratulated them for their national report.

77. While noting the efforts to increase the quality of and access to education, Armenia also noted that Guyana had not yet ratified a number of international human rights instruments, and referred to a number of challenges in the promotion of the right to education.

78. Australia welcomed the ratification of CRPD and the accession to the Optional Protocol to CRC on the sale of children, child prostitution and child pornography. It remained concerned that Guyana had not yet implemented its national policy on domestic violence, and noted with concern that Guyana had rejected recommendations to establish a formal moratorium on the death penalty.

79. Botswana commended Guyana for the progress made towards achieving universal primary education and eliminating gender disparity at school. It encouraged Guyana to enhance cooperation with OHCHR to address challenges that it continued to face.

80. Brazil welcomed the fact that the vacant position of Ombudsman had been filled, and underscored the importance of providing the Ombudsman with appropriate funding and staff for the fulfilment of his mandate.

81. Canada asked Guyana to provide information on the measures taken to address challenges to freedom of expression and to prevent and investigate instances of intimidation or violence against the media.

82. Chile acknowledged the efforts Guyana had made to comprehensively strengthen the human rights sector, in particular with regard to respect for civil and political rights. It noted with appreciation that the ratified international instruments had already been transposed into domestic law.

83. China noted that Guyana supported measures to facilitate the reintegration of and free vocational training for trafficked persons. It called upon the international community to increase financial and technical assistance for Guyana.

84. Colombia praised the commitment demonstrated by Guyana in its efforts to implement the recommendations made during the first UPR cycle. It also appreciated the country's transparent collaboration with the human rights mechanisms.

85. Costa Rica highlighted the ratification of CRPD and Optional Protocols to CRC. It expressed its appreciation for the country's efforts and achievements in the areas of gender equality and access of women to public elections and positions of power. Costa Rica stressed the negative impact of the use of the death penalty and torture.

86. Cuba noted that Guyana demonstrated its commitment to protecting and promoting human rights. It highlighted the progress made in promoting gender equality and the empowerment of women in general, and acknowledged the actions taken to recognize the rights of all Afro-descendants.

87. Denmark expressed hope that concrete steps were under way to honour the commitment made by Guyana to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and added that the Convention against Torture Initiative stood ready to explore avenues to assist Guyana in advancing that issue.

88. Ecuador commended Guyana for the efforts it had made to implement the recommendations from the first cycle, in particular the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to CRC on the involvement of children in armed conflict and the Optional Protocol to CRC on the sale of children, child prostitution and child pornography.

89. While acknowledging the progress made in the recognition of indigenous peoples' rights, Estonia expressed disappointment that decisions on mining on lands used by indigenous people could still be taken without the consent of those people.

90. France asked Guyana about the results of consultations that, during its previous UPR, it had committed to hold on the rights of lesbian, gay, bisexual, transgender and intersex persons, on the state of its legislation regarding the relations between consenting adults of the same sex and on violence committed against individuals because of their sexual orientation and identity.

91. While expressing its appreciation for the ratification and accession by Guyana to various international instruments, Germany remained concerned that the de facto moratorium on the death penalty had not yet been translated into law.

92. Ghana expressed its satisfaction with the efforts deployed by Guyana to meet most of the commitments made since the first UPR cycle, aimed at strengthening the constitutional, legal and policy framework for the promotion and protection of human rights.

93. Guatemala welcomed the nomination of the Ombudsman, as well as the establishment of a national task force and the elaboration of a national action plan, both to fight human trafficking.

94. India asked Guyana to share more details on its efforts to reduce poverty and hunger, and expressed hope that the implementation of the national food and nutritional strategy was being prioritized.

95. Indonesia commended Guyana for the achievements made in the area of poverty reduction and the ratification of CRDP. It also acknowledged the adoption of the Persons with Disabilities Act.

96. Sierra Leone highlighted the commendable efforts made by Guyana towards progress in economic, social and cultural rights. It urged Guyana to consider including in its Constitution provisions prohibiting discrimination of women, to tackle more vigorously the issue of trafficking in women and girls, and to establish a moratorium on the death penalty.

97. The delegation of Guyana thanked countries that had acknowledged its efforts and progress achieved and expressed thanks for recommendations made.

98. Regarding concerns by Ireland about under-five child mortality, the delegation indicated that infant mortality in 1991 had been 120 per 1,000 and that in 2014 it had been reduced to 17 per 1,000, which meant there was progress but work had to continue.

99. Regarding the abolition of the death penalty or the establishment of a moratorium, raised by many delegations, Guyana had amended its law to commute some death sentences to life imprisonment and had added the possibility of parole. The delegation affirmed that, while it had not reached the point of abolishing the death penalty, discussions were continuing. In addition, the Parliament had been prorogued and therefore the work of the Parliamentary Special Select Committee had not been completed.

100. Three issues, namely, the abolition of the death penalty, the decriminalization of same-sex relations between adult males and other LGBT matters, and corporal punishment were to be considered by the Select Committee. The delegation underscored that compared to 2010, in 2014 and 2015 there had been an increase in discussions on those issues, which was a good sign. The society was very divided on the issues; it was sometimes a challenge to talk to citizens about the death penalty when some countries in the region were seeking to activate the death penalty because of the high rate of criminality. However, discussions were continuing in Guyana.

101. Regarding the strengthening of the Police Complaints Authority, raised by Italy, it had been decided that the Authority would establish its own investigative arm. The delegation of Guyana recalled that in the past, the police had been responsible for investigating; it could be concluded that if the police investigated the police, the required

impartiality would be lacking. Thus, the independent investigative arm would prove to be a boost to the Police Complaints Authority. There was a need for more resources for the Authority, which should be considered in the context of how the national economy was doing; there had been increases in resources throughout the years.

102. As regards access to land for indigenous people, the delegation of Guyana noted that some delegations had raised the issue of discrimination, including with respect to Amerindian children. The delegation indicated that if there was discrimination as far as the State was concerned, it was positive discrimination. Most Amerindian communities were located in the vast interior, so the delivery of services was not only costly but also very challenging. Road networks and telecommunication had been improved. In order to ensure that children had access to education, secondary schools were being built with dormitories to cater to a number of communities in those areas, fully funded by the State. In addition, a State-funded scholarship programme was in place for hinterland children, and over 90 per cent of hinterland children were Amerindians.

103. There were gaps that needed to be filled; thus, the Hinterland Education Improvement programme had been established to ensure full access in the hinterland not only to nursery and primary education, which was already covered, but also to secondary education.

104. About 14 years ago there was just one Amerindian doctor; now, with the help of Cuba, hundreds of doctors had been trained, including Amerindian doctors, many of whom had attended secondary schools in their communities, showing a measure of progress.

105. Child protection was a work in progress. The delegation emphasized that the Child Protection Agency was very active and that efforts would continue in that regard.

106. On discrimination against persons with disabilities, the delegation reported that Guyana had not only passed a law on the subject but had also ratified CRPD. Necessary measures were being taken in both public and private institutions, including banks. The State was working with Cuba to establish in Guyana a centre for training persons with disabilities, a project that would benefit not only Guyana but the entire Caribbean community.

107. On the question of discrimination and violence against women, the delegation expressed regret that it could not report any massive improvement. Efforts at the State level on the matter would continue and would be intensified. The plans of action on domestic violence and on sexual offences had been submitted and considered. The plan of action on domestic violence was already in operation. That area required much research in addition to the measures already put in place.

108. The delegation affirmed that, according to one school of thought, some men were not reacting positively to the increased awareness by women of their rights and the increased independence of women. Much work needed to be undertaken with men in that regard. If in the past women had been subservient and had accepted whatever they were told by their male counterparts, that had changed.

109. Guyana was working on parity in education at the tertiary level, where almost two thirds of those attending university were women, a challenge for males both nationally and in the entire Caribbean community. Regarding school drop-out rates, at the nursery and primary levels more schools had to be built, because attendance was high; overall there had been an increase in school attendance.

110. Regarding elections and the need for transparency, the per capita costs of the elections held prior to the most recent ones had been ranked as the second highest in the world, owing to the number of layers of transparency operating. Guyana had sought observers from the Commonwealth, the Organization of American States, the Union of

South American Nations and CARICOM. Therefore, the delegation trusted that the next elections would be transparent, once all the measures were put in place.

111. On judicial training, as it related to women's rights, work had been carried out with the police and prosecutors, and seven domestic violence units, in each of the police divisions, had been established.

112. On trafficking of women and trafficking of persons in general, the delegation asserted that a task force was already working on those issues. There was no evidence of widespread trafficking, but work had been undertaken with several ministries.

113. Regarding reproductive health services, the delegation had noticed in one of the reports prepared for the UPR that a complaint had been made about a case where contraceptives were not provided to children of a certain age. The delegation said it would look into the complaint. Additional resources had been provided regarding reproductive health services.

114. On the matter of the eradication of poverty, the delegation mentioned the measures outlined in its national report, and expressed its satisfaction that Guyana had been able to reduce poverty, meet most of the Millennium Development Goals and improve nutrition.

115. The delegation underscored that Guyana would continue to give consideration to the recommendations regarding various protocols and conventions, including the Optional Protocol to CEDAW and the Second Optional Protocol to the International Covenant on Civil and Political Rights.

116. On the intervention of the Netherlands, which referred to a political standstill, the delegation clarified that, faced with a no-confidence motion, which if passed would have immediately seen the country go to elections in three months, the President had decided to prorogue the Parliament in order to preserve its life and invite the opposition to dialogue. Prorogation could last only for six months. If elections were held and had the same results, there would still be a need for dialogue. Given that the President wanted one last opportunity to try to dialogue with the Opposition, the Parliament had been prorogued. The offer of dialogue had not been accepted by the Opposition and the President had since announced that elections would be held on 11 May.

117. Addressing the claim of the Netherlands that owing to that situation the debate on the follow-up of the UPR recommendations could not continue, the delegation affirmed that the Parliamentary Special Select Committee examining LGBT matters and the abolition of the death penalty and corporal punishment was still functioning and had not concluded its work at the time of prorogation. Consequently, those matters were not ready to be debated in the National Assembly. The Government hoped that those issues would be taken back to the National Assembly when it was reconvened.

118. The delegation affirmed it was not happy that the Juvenile Justice Bill had not been presented to Parliament; that would be taken back to Parliament when it was reconvened.

119. Guyana was always open to having officials from the United Nations system visit the country and to working with them.

120. Regarding issues of excessive use of force, mistreatment and extrajudicial killings, the delegation said that it was not aware of any extrajudicial killings during the reporting period, although there had been one in 2011. The national report included what Guyana had been doing in terms of addressing reported excesses by the Guyana Police Force; efforts would continue.

121. On comments by Norway on the credibility of the judiciary, the delegation asserted that it could not state that the judiciary in Guyana was not credible. All branches of Government had to be strengthened, including the judiciary.

122. On consultation with indigenous peoples, the delegation stated that there were several indigenous NGOs. However, the Government dealt more with the elected representatives of the indigenous communities. All of the indigenous leaders met every year at the National Toshaos Council, and every one of them had an opportunity to interact directly with the President and the ministers. That was where a lot of the consultation with indigenous leaders took place, and where indigenous peoples put forward their plans and programmes, such as the community development plans that were presented for inclusion in the national budget. The delegation considered that the consultation and involvement of indigenous peoples in all matters of life, including politics, had never been as robust as it was now.

123. On the issue raised by Romania regarding the Women and Gender Equality Commission, the delegation affirmed that Guyana would continue to allocate the necessary resources to the Commission, and that it was also looking for the support of international partners.

124. Regarding a comprehensive national strategy to prevent various forms of violence against children, the delegation reported that information had been provided in the national report, but it understood that States had not seen the report earlier.

125. Regarding the legal services in the hinterland, Guyana had expanded those services and had committed to continue to work on that issue. On the issue of housing, raised by Singapore, the delegation said that housing was one of the flagship projects of Guyana. It had increased tremendously, and the Government had learned much from what had been done in Singapore.

126. On the issue of forced marriage raised by Slovenia, the delegation affirmed that in Guyana no one could get married before the age of 16 unless his or her parents consented; there had been no such requests that the delegation knew of.

127. With regard to ensuring that persons of African descent were able to participate in and integrate into society, the delegation said that it was very difficult to have more than 30 per cent of the population not involved in the society; however, all of the different groups in the society were represented in Government, Parliament and public bodies, which made Guyanese proud.

128. Regarding the media, action taken by Guyana had been described in the report. It supported self-regulation in the media because rights came with responsibilities.

129. The delegation concluded by thanking the delegations, and underscored that many issues raised had been addressed in the report.

II. Conclusions and/or recommendations**

130. **The recommendations formulated during the interactive dialogue and listed below have been examined by and enjoy the support of Guyana:**

130.1. **Consider ratifying the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education (Ghana);**

130.2. **Continue harmonizing its legal framework with respect to women and children with CEDAW and the Convention on the Rights of the Child, respectively (Nicaragua);**

** The conclusions and recommendations have not been edited

130.3. **Maintain the necessary efforts to promote corporate responsibility, which is linked to the full enjoyment of human rights of the population (Ecuador);**

130.4. **Analyse the possibility of creating a national human rights network to facilitate, among others, the submission of reports to treaty bodies, and establishing a national system to monitor international recommendations (Paraguay);**

130.5. **Consider developing Human Rights Indicators as suggested by OHCHR (Portugal);**

130.6. **Adopt administrative and legislative measures to increase the human, technical and financial resources for the adequate functioning of the Commission on Human Rights, and the three rights commissions, as well as to ensure its independence, in accordance with the Paris Principles (Mexico);**

130.7. **Implement a comprehensive strategy to combat the discrimination against women, Amerindian children and also children with disabilities (Trinidad and Tobago);**

130.8. **Continue work to enhance equality and combat discrimination including discrimination against women (Russian Federation);**

130.9. **Clearly define the mandate and the responsibilities of the national mechanism for the advancement of women and allocating the necessary resources to enable it to promote equality and mainstreaming gender equality and ensuring coordination of activities in this field (Morocco);**

130.10. **Intensify technical and vocational training for women and adopt temporary special measures aimed at achieving de facto equal opportunities for men and women in the labour market (Timor-Leste);**

130.11. **Provide the Women and Gender Equality Commission with adequate human, financial and technical resources, so as to consolidate its role in gender promotion and mainstreaming (Romania);**

130.12. **Continue strengthening the presence of women in various institutions (Algeria);**

130.13. **Strengthen the legislative framework and ensure its effective enforcement in eliminating all forms of discrimination against women (Maldives);**

130.14. **Advance in the elimination of all forms of gender discrimination and gender violence, particularly strengthening the coordinated multisectoral implementation and application of the Sexual Offences Act, adopted in Guyana in 2010 (Chile);**

130.15. **Continue working to be able to incorporate the prohibition of discrimination against women in its national legislation (Guatemala);**

130.16. **Strengthen training within the judiciary on the Convention on the Elimination of All Forms of Discrimination against Women and carry out campaigns on the rights of women and existing resources in cases of gender-based violence or discrimination (Mexico);**

130.17. **Continue promoting the participation of women in social, economic and political spheres contributing to the development of the country (Nicaragua);**

130.18. **Heed the call of CEDAW to promote shared parental and caring responsibilities of women and men (Slovenia);**

130.19. **Strengthen policies for gender equality to ensure participation of women in the political and labour arenas, both public and private, particularly women from ethnic minorities (Colombia);**

130.20. **Continue the actions taken to further advance in achieving gender equality and the empowerment of women (Cuba);**

130.21. **Continue its efforts for the proper implementation of the measures adopted for the effective promotion and protection of women's rights, considering the different vulnerability factors to which they may be exposed and the importance of their participation in society (Ecuador);**

130.22. **Take measures to address patriarchal attitudes and stereotypes that discriminate against women (Botswana);**

130.23. **Strengthen efforts to ensure that People of African Descent participate and integrate in the economic, political, social and cultural spheres of Guyanese society (South Africa);**

130.24. **Implement more appropriate measures to build an inclusive society, in which no segment of the population, notably the Afro-Guyanese who constitute 30 percent of the population, do not suffer discrimination (Ghana);**

130.25. **Strengthen the protection of LGBT individuals (Brazil);**

130.26. **Take measures to ensure that hate crimes and discrimination based on sexual orientation or gender identity are vigorously investigated and appropriately prosecuted (United States of America);**

130.27. **Continue its effort in eliminating discrimination against LGBT starting with the review of its related legislation (Thailand);**

130.28. **Carry out the national consultations on the death penalty, which it had engaged to hold during the eighth session of the Working Group on the UPR, so as to continue advancing towards the abolition of the death penalty (Spain);**

130.29. **Consider taking all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolish the death penalty (Italy);**

130.30. **Consider the abolition of the death penalty, and declare a moratorium on executions, as previously recommended (Slovenia);**

130.31. **Ensure thorough investigations of all allegations of extrajudicial killings and use of excessive force by the police (Italy);**

130.32. **Improve conditions of detention, particularly for persons with disabilities (France);**

130.33. **Redouble efforts to combat all forms of sexual violence against women, fully implementing the Sexual Offences Act (Panama);**

[1] The recommendation as read during the interactive dialogue: "We therefore reiterate our past recommendations Nos. 70.29, 70.39 and 70.49."

130.34. **Deepen the actions taken against discrimination and violence against women, particularly guaranteeing an effective access to courts and strengthening assistance and accompaniment to the victims (Argentina);**

130.35. **Adopt a national action plan in order to combat gender-specific violence, including domestic violence (Sweden);**

130.36. **Establish preventive measures such as the creation of the national action plan for the prevention of sexual violence as well as public information campaigns on domestic violence so as to facilitate the implementation of the Sexual Offences Act (Switzerland);**

130.37. **Intensify its efforts in combating domestic violence, in particular, provide sufficient resources to ensure effective implementation of its legislation as well as to raise awareness of women's rights (Thailand);**

130.38. **Make the necessary constitutional and legislative amendments to implement its National Domestic Violence Policy with a view to end violence against women and girls (Australia);**

130.39. **Provide law enforcement and judiciary members with training on addressing domestic violence and child abuse cases and build their capacity to record and track complaints ensuring that all allegations are thoroughly investigated and that all perpetrators are prosecuted (Canada);**

130.40. **Fully implement the Domestic Violence Act and the Sexual Offences Act, in order to improve support and access to justice for survivors of gender-based violence (Slovenia);**

130.41. **Fully implement the Sexual Offences Amendment Act 2013 (South Africa);**

130.42. **Provide the necessary human means and resources for the effective implementation of the Sexual Offences Act and the national policy on domestic violence (Spain);**

130.43. **Implement fully the Sexual Offences Act through the national plan for the prevention of sexual violence and the establishment of a unit against sexual offences (Uruguay);**

130.44. **Ensure a coordinated response between police, justice, child protection, and social service officials so that women and children who are victims of violence, including sexual abuse, have access to immediate protection (Canada);**

130.45. **Further strengthen awareness-raising and information programs to promote the rights of the child and consider developing a comprehensive national child protection mechanism and action plan (Philippines);**

130.46. **Ensure more fully the rights of the child, and first and foremost, the realisation of the right to education and combating illegal child labour (Russian Federation);**

130.47. **Intensify awareness-raising campaigns to strengthen the protection of children's rights (Germany);**

130.48. **Intensify efforts to reduce the use of corporal punishment against minors in state-run institutions through awareness-raising campaigns and training in non-violent forms of discipline (Canada);**

130.49. **Take measures to develop a comprehensive action plan to combat trafficking and the sexual exploitation of women and girls (Panama);**

130.50. **Take measures to ensure effective implementation of laws and policies that combat trafficking in persons (Philippines);**

130.51. **Continue to address the root causes of human trafficking and provide the relevant training to law enforcement officials and judges to ensure that the perpetrators of this heinous crime do not go unpunished (Trinidad and Tobago);**

130.52. **Develop a comprehensive national strategy with a view to prevent and address all forms of violence against children (Romania);**

130.53. **Strengthen the provisions of legal aid services in all regions and ensure enhanced awareness of key CEDAW provisions by the judiciary (Norway);**

130.54. **Continue legislative and judicial reforms with a view to ensuring the accessibility of legal services in the hinterlands (Russian Federation);**

130.55. **Strengthen the independence of the Police Complaints Authority and provide it with adequate funding and resources (Italy);**

130.56. **Investigate all complaints of human rights violations committed by state security agencies and ensure that cases of violations are brought before the courts (Norway);**

130.57. **Increase the capacity of the Police Complaints Authority to undertake prompt and impartial investigations of police abuse so the PCA can transfer cases to the justice system for prosecution as warranted (United States of America);**

130.58. **Adopt measures that ensure enjoyment of fundamental freedoms in law and practice (Botswana);**

130.59. **Improve access to age-appropriate HIV, sexual and reproductive health services especially among adolescents (Trinidad and Tobago);**

130.60. **Continue consolidating its correct social programs in favour of its people, in the fight against poverty, exclusion and social injustice underscoring the areas of nutrition, health, education and employment, for which it is important that the Community of Nations provide the cooperation and technical assistance that Guyana requires (Bolivarian Republic of Venezuela);**

130.61. **Apply the measures envisaged to continue the trend towards poverty reduction in the country (Cuba);**

130.62. **Enhance its poverty eradication efforts by continuously allocating sufficient annual budget dedicated to poverty eradication programmes (Indonesia);**

130.63. **Continue implementing programmes and plans aimed at improving services linked to drinking water and sanitation (Algeria);**

130.64. **Continue to strengthen the construction of drinking water and basic sanitation facilities in order to provide better basic services for its people (China);**

130.65. **Continue to develop sustainable housing schemes with a view to increasing the provision of housing for low and middle income households (Singapore);**

130.66. **Take actions at all levels to address the interlinked root causes of preventable mortality and morbidity of children under 5 and consider applying the "Technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age", A/HRC/27/31 (Ireland);**

130.67. **Continue to implement measures to strengthen public health services for all its citizens (Singapore);**

130.68. **Increase access to affordable contraceptive methods throughout the country, include comprehensive sexuality education in school curricula, and provide adequate and effective sexual and reproductive health services, including to adolescents (Slovenia);**

130.69. **Further promote human rights education and awareness-raising programmes in Guyana (Armenia);**

130.70. **Continue to increase the inputs of financial and human resources into education so as to improve educational standards and reduce drop-out rates (China);**

130.71. **Continue its efforts to ensure the full implementation of the Persons with Disabilities Act 2010 (Indonesia);**

130.72. **Combat prevailing discrimination against children with disabilities and ensure the availability of appropriate health and equal educational services for children (Maldives);**

130.73. **Take further measures to ensure that children with disabilities have access to transportation, facilities and health services and ensure their integration into the general education system (Panama);**

130.74. **Guarantee extended, free and transparent participation of civil society and minorities in the public national debate (Chile);**

130.75. **Guarantee the indigenous people's rights by fully engaging indigenous peoples of the country in decision-making in all the matters that affect them (Estonia).**

131. **The following recommendations enjoy the support of Guyana, which considers that they are already implemented or in the process of implementation:**

131.1. **Enhance efforts to fight all forms of discrimination against women by ensuring effective implementation of the existing legislation, by implementing a policy of equal work for equal pay and by developing a comprehensive national strategy to facilitate equal access of girls and women to all levels and fields of education (Italy);**

131.2. **Amend the list of hazardous work to prohibit children under the age of 18 from working in all listed sectors (United States of America);**

131.3. **Reduce the number of crimes to which the death penalty can be imposed (Australia);**

131.4. **Ensure de facto criminalization of child, early and forced marriages and carry out awareness-raising among women about their rights (Slovenia).**

132. **The following recommendations will be examined by Guyana, which will provide responses in due course, but no later than the twenty-ninth session of the Human Rights Council in June/July 2015:**

132.1. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) (Italy); (Paraguay); (Uruguay);**

132.2. **Ratify the Second Optional Protocol to ICCPR with the aim of total abolition of the death penalty (Namibia);**

132.3. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Switzerland);**

132.4. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Timor-Leste);**

132.5. **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the ICCPR (Australia);**

132.6. **Abolish the death penalty in law and ratify the Second Optional Protocol to the ICCPR (Germany); Abolish the death penalty and ratify the second Optional Protocol to ICCPR (Portugal);**

132.7. **Ratify OP-CEDAW (Namibia);**

132.8. **Ratify the Optional Protocol to CEDAW (Spain); (Uruguay);**

132.9. **Give a high priority to the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Australia);**

132.10. **Ratify the American Convention on Human Rights (Uruguay);**

132.11. **Ratify the Optional Protocol to the Convention against Torture (Denmark);**

132.12. **Ratify the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);**

132.13. **Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism as soon as possible (Costa Rica);**

132.14. **Consider ratifying OP-CAT (Ghana);**

132.15. **Withdraw the reservations made to articles 21 and 22 of CAT and ratify its Optional Protocol (Portugal);**

132.16. **Ratify the OP-CRC on a communications procedure (Montenegro);**

132.17. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and OP-CEDAW (Sierra Leone);**

132.18. **Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);**

132.19. **Ratify and implement ILO Convention 169 (Norway);**

132.20. **Align its national legislation with the Rome Statute, including by incorporating provisions to cooperate promptly and fully with the International Criminal Court and investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Estonia);**

132.21. **Establish an independent national human rights institution in line with the Paris Principles (Sierra Leone);**

132.22. **Consider establishing a National Human Rights Institution in conformity with the Paris Principles (India);**

132.23. **Establish an independent National Human Rights Institution in full compliance with the Paris Principles (Ghana);**

132.24. **Issue a standing invitation to all special procedures (Ghana);**

132.25. **Extend an open invitation to the special procedures of the United Nations (Guatemala);**

132.26. **Extend a standing invitation to all United Nations special procedures and accept the request for a visit of the Special Rapporteur on the question of torture (Spain);**

132.27. **Accept the request for a visit made by the Special Rapporteur on the question of torture (Portugal);**

132.28. **Adopt a National Action Plan on Security Council resolution 1325 on Women, Peace and Security (Portugal);**

132.29. **Repeal all provisions that discriminate against persons on the basis of their sexual orientation or gender identity, particularly those which criminalise consensual adult same-sex relations (Ireland);**

132.30. **Decriminalise homosexuality and combat all forms of discrimination and abuse against LGBTI persons (Italy);**

132.31. **Bring its legislation in line with international standards by removing the relevant sections that criminalize consensual same-sex conduct from the Criminal Law (Offences) Act (Netherlands);**

132.32. **Repeal the laws which criminalize sexual activity between consenting adults of the same sex, as previously recommended (Slovenia);**

132.33. **Abrogate national laws which criminalize or discriminate against persons on the grounds of their sexual orientation or gender identity (Switzerland);**

132.34. **In consultation with civil society, develop and pass legislation that decriminalizes consensual same-sex sexual conduct (United States of America);**

132.35. **Guarantee to LGBTI persons the full enjoyment under equal conditions of their human rights, through the abolishment of the norms that criminalize and stigmatize them, and the investigation and sanction of cases of violence or discrimination motivated by sexual orientation or gender identity (Argentina);**

132.36. **Amend Article 149 of the Guyana Constitution to prohibit discrimination on the basis of sexual orientation and repeal Sections 351 to 353 of the Criminal Law Offences Act, which criminalizes sexual activities between consenting adults of the same sex (Canada);**

[1] The recommendation as read during the interactive dialogue: "We therefore reiterate our past recommendations No. 70.29, 70.39 and 70.49."

132.47. **Advance in the elimination of all forms of discrimination and violence based on sexual orientation or gender identity, particularly abolishing all regulations of the Penal Code that support those discriminations and reinforce legislative and judicial protections against such abuses (Chile);**

132.48. **Abolish discriminatory laws against LGBT persons and also amend its national legislation in order to include sexual orientation and gender identity as grounds of discrimination (Norway);**

132.49. **Repeal all norms that can be presumed or interpreted as being discriminatory against persons based on their sexual orientation or gender identity (Spain);**

132.40. **Repeal all legal provisions that discriminate against persons on the grounds of their sexual orientation or gender identity (United Kingdom of Great Britain and Northern Ireland);**

132.41. **Amend all legislation that discriminates against persons on the grounds of their sexual orientation or gender identity, as well as investigate incidents or acts of violence motivated by homophobia or transphobia and bring to justice those responsible for such acts (Uruguay);**

132.42. **Take the legislative and policy measures to prevent and fight against violence and fight against discrimination based on sexual orientation or gender identity (Colombia);**

132.43. **Carry out the necessary amendments to its national legislation so that no crime is punished by the death penalty (Panama);**

132.44. **Establish an immediate official moratorium on the use of the death penalty (Montenegro);**

132.45. **Establish an official moratorium on executions with a view to the complete abolition of the death penalty, and commute without delay death sentences into prison terms (Uruguay);**

132.46. **Accompany the informal moratorium on death penalty, maintained since 1997, by a commitment to the adoption of the necessary measures to establish a formal moratorium, with a view to eventually abolishing the death penalty (Brazil);**

132.47. **Eliminate the death penalty from its legislation and alternatively, establish a moratorium on the death penalty (Chile);**

132.48. **Establish a de jure moratorium on the death penalty with a view to its abolishment and ensure the death penalty is commuted to prison penalties (Costa Rica);**

132.49. **Establish a moratorium on the death penalty with a view to definitively abolishing the death penalty (France);**

132.50. **Seek the support of the Group of Friends of the Convention against Torture Initiative for technical assistance in the implementation of measures aimed at preventing and investigating reports of torture in the prisons system (Ghana);**

132.51. **Repeal corporal punishment of children (Kuwait);**

132.52. **Eliminate corporal punishment of children both in public and private life (Netherlands);**

132.53 **Prohibit corporal punishment, especially in schools, in accordance with article 19 of the Convention on the Rights of the Child, as previously recommended (Slovenia);**

132.54 **Develop a comprehensive national strategy and adopt a national coordinating framework to ban all corporal punishment against children (Germany);**

132.55 **Take all the necessary measures including law reform initiatives to eliminate violence against children in all its forms, including corporal punishment (Namibia);**

132.56 **Put in place an independent organ to investigate complaints of abuses perpetrated by members of the country's security forces (Spain);**

132.57 **Increase age of criminal liability to 18 (Kuwait);**

132.58 **Continue efforts for the prompt adoption of the Law on Juvenile Justice (Nicaragua);**

132.59 **Raise the age of criminal responsibility (Slovenia);**

132.60 **Increase the minimum age of criminal responsibility from 10 to 18 years (Sierra Leone);**

132.61 **Respect and protect the right to freedom of expression online and offline and bring its national legislation fully in line with international standards, including by decriminalizing defamation; and to develop self-regulatory mechanisms of the media (Estonia);**

132.62 **Intensify efforts to improve the quality of education, to deal with the issue of high dropout rates, and continue to increase resources for educational infrastructure (Philippines);**

132.63 **Continue its efforts in addressing the challenges in the promotion of the rights to education, inter alia through addressing high rates of student withdrawal from schools (Armenia);**

132.64 **Adopt a national action plan for the improvement of the situation for indigenous peoples (Sweden).**

133 **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

The recommendation as read during the interactive dialogue: "We therefore reiterate our past recommendations No. 70.29, 70.39 and 70.40".

Annex

[English only]

Composition of the delegation

The delegation of Guyana was headed by Ms. Carolyn Rodrigues-Birkett, Minister of Foreign Affairs and composed of the following members:

- Mr. Sherwyn Naughton, First Secretary, Embassy of Guyana in Brussels.